

AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116 - EXPEDITED PROCEDURE  
Serial Number: 09/077,572  
Filing Date: October 13, 1998  
Title: NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIA

Page 8  
Dkt: 875.001US2

Clean copy of replacement for the paragraph in the specification beginning on page 13, line 27, and ending on page 14, line 8:

Two plasmids, termed pB28 and pB29, each with a mini-Tn3 transposon containing the chloramphenicol acetyltransferase (CAT) gene inserted into the *htrB* open reading frame at a different location. Nontypeable *Haemophilus influenza* strains 2019 B28 and 2019 B29 were deposited on November 14, 2000 with the American Type Culture Collection, 10801 University Blvd., Manassas, VA 20110-2209 under the provisions of the Budapest Treaty, and all restrictions will be irrevocably removed upon the granting of a patent on this application. Strain B28 has been accorded accession number PTA-2667 and strain B29 has been accorded accession number PTA-2668. Each plasmid was used to transform nontypeable *H. influenzae* strain 2019 and bacterial cell transformants were selected for by growth in the presence of chloramphenicol (1.5 µg/ml), resulting in identification of mutant strains designated NTHi B28 and B29, respectively. Locations of the mTn3 insertion in the chromosomes of the NTHi mutants were confirmed by genomic Southern hybridization using the 2.4 kb *Bgl*II fragment as a probe. In particular, a *Bgl*II digest of NTHi strain 2019 DNA resulted in a 2.4 kb fragment; whereas similar digests of DNA from mutants NTHi B28 and B29 revealed 4.0 kb fragments. Further, the 4.0 kb fragments were digested by *Eco*RI which is present in the mTn3.